

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

HARRINGTON GLOBAL OPPORTUNITY FUND,
LIMITED,

Plaintiff,

- against-

CIBC WORLD MARKETS CORP., CIBC WORLD
MARKETS INC., BOFA SECURITIES, INC.,
MERRILL LYNCH CANADA INC., MERRILL
LYNCH PROFESSIONAL CLEARING CORP., TD
SECURITIES, INC., TD SECURITIES (USA) LLC,
UBS FINANCIAL SERVICES, INC., UBS
SECURITIES CANADA, INC., SOCIETE
GENERALE CAPITALE CANADA, INC., SG
AMERICAS SECURITIES, LLC, and JOHN DOES
1 THROUGH 10.

Defendants.

No. 1:21-cv-00761-LGS-JLC

**DECLARATION OF GAYLEN DUNCAN IN SUPPORT OF
DEFENDANT MERRILL LYNCH CANADA INC.'S
MOTION TO DISMISS FOR LACK OF PERSONAL JURISDICTION**

I, Gaylen Duncan, hereby declare under penalty of perjury as follows:

1. I am an adult and competent to testify to the matters below. I submit this declaration in support of Defendant Merrill Lynch Canada Inc.'s motion to dismiss for lack of personal jurisdiction. I offer this declaration based on personal knowledge and my review of relevant corporate records.

2. I am the Chief Operating Officer and a Managing Director for Merrill Lynch Canada Inc. I am authorized to make this declaration on behalf of Merrill Lynch Canada Inc..

3. Merrill Lynch Canada Inc. is a Canadian broker-dealer with its headquarters and principal place of business located at 181 Bay Street, Suite 400, Toronto, Ontario, Canada.

4. Merrill Lynch Canada Inc. has no locations or employees in the United States and is not a member or a participant of any U.S. exchange, including NASDAQ.

5. Between January 27 and November 15, 2016, Merrill Lynch Canada Inc. did not conduct any trading in Concordia International Corp.'s stock on any U.S. exchanges, including NASDAQ.

Pursuant to 28 U.S.C. § 1748, I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed this 2nd day of June, 2021 in Ontario, Canada.



Gaylen Duncan

Chief Operating Officer & Managing Director